

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANNE DE LACOUR, ANDREA WRIGHT, and
LOREE MORAN individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

COLGATE-PALMOLIVE CO., and TOM'S OF
MAINE INC.

Defendants.

Civil Action No. 1:16-CV-08364
(RA)

**DECLARATION OF NEAL J. DECKANT IN SUPPORT OF PLAINTIFFS' MOTION
FOR CLASS CERTIFICATION, APPOINTMENT OF CLASS REPRESENTATIVES,
AND APPOINTMENT OF CLASS COUNSEL**

I, Neal J. Deckant, declare as follows:

1. I am an attorney at law licensed to practice in the State of New York. I am a member of the bar of this Court, and I am an attorney at Bursor & Fisher, P.A., counsel of record for Plaintiffs Anne de Lacour, Andrea Wright, and Loree Moran ("Plaintiffs"). I make this declaration in support of Plaintiffs' motion for class certification. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, could and would competently testify thereto under oath.

2. Attached hereto as Exhibit 1 is a full list of products included in the putative class ("Tom's Products" or "Products").

3. Attached hereto as Exhibit 2 are true and correct copies of excerpts from the transcript of the deposition of JoAnne Murphy, Colgate-Palmolive Co.'s Director of Shopper Marketing.

4. Attached hereto as Exhibit 3 is a true and correct copy of a presentation titled *Goodness Report* dated January 2017 and bearing Bates numbers COLGATETOMS00011847.

5. Attached hereto as Exhibit 4 is a true and correct copy of a presentation titled *Tom's of Maine – Ingredient Study* dated Fall 2016 and bearing Bates number COLGATETOMS00022476.

6. Attached hereto as Exhibit 5 is a true and correct copy of a presentation titled *Tom's of Maine – Measuring the Brand's Equity* dated May 2015 and bearing Bates number COLGATETOMS00013657.

7. Attached hereto as Exhibit 6 is a true and correct copy of a presentation titled *What Makes Tom's of Maine Special* dated May 2012 and bearing Bates number COLGATETOMS00024006.

8. Attached hereto as Exhibit 7 is a true and correct copy of a presentation titled *Qualitative Summary Report, TOM's Shopper Insights* dated May 2014 and bearing Bates number COLGATETOMS00013164.

9. Attached hereto as Exhibit 8 is a true and correct copy of a presentation titled *Developing Natural Advantage, Identifying the Natural Opportunity* dated 2012 and bearing Bates number COLGATETOMS00023391.

10. Attached hereto as Exhibit 9 is a true and correct copy of a presentation titled *Win in Natural Oral Care, Discover Natural Advantage* dated 2014 and bearing Bates number COLGATETOMS00021920.

11. Attached hereto as Exhibit 10 is a true and correct copy of a presentation titled *Tom's of Maine: Measuring the Brand's Equity PRESENTATION* dated May 2015 and bearing Bates number COLGATETOMS000014108.

12. Attached hereto as Exhibit 11 is a true and correct copy of Bursor & Fisher, P.A.'s firm resume.

13. I declare under penalty of perjury under the laws of the United States and the State of New York that the foregoing is true and correct. Executed on June 15, 2018 at New York, New York.



Neal J. Deckant